

in 1995. Applications would be made between June 1, and August 15, 1995.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24 (a)(6)]. Exemptions for the use of fomesafen on snap and dry beans have been requested and granted for the past 4 years, and an application for registration of this use has not been submitted to the Agency.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the New York State Department of Environmental Conservation.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 17, 1995.

**Lois Rossi,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-7584 Filed 3-28-95; 8:45 am]

BILLING CODE 6560-50-F

[OPP-180966; FRL 4943-7]

#### Lactofen; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Oregon Department of Agriculture (hereafter referred to as the "Applicant") for use of the pesticide Lactofen (Cobra Herbicide) (EPA Reg. No. 59639-34) manufactured by Valent U.S.A. Corp., to control black nightshade, hairy nightshade, and redroot pigweed on up to 2,000 acres of snap beans. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before April 13, 1995.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-180966," should be submitted by mail to: Public Response and Human Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Larry Fried, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8328; e-mail: fried.larry@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption.

The Applicant has requested the Administrator to issue a specific exemption for the use of Lactofen (Cobra Herbicide). The Applicant provided information (in accordance with 40 CFR part 166) to the Agency which supports the position that an emergency situation would exist for Oregon snap bean growers if Cobra Herbicide is not available for use this growing season.

According to the Applicant, infestations of black night shade, hairy nightshade, and redroot pigweed have caused significant yield reductions in snap bean fields in Oregon. The registered herbicides do not control these identified weed species.

Snap bean crop yields have significantly declined and the incidence of weed contamination in the final product has increased steadily since the loss of Chloramben Herbicide (Amiben).

Under the proposed exemption a maximum of one application could be applied, at a rate of 3/4 pint (.1875 lb. active ingredient (a.i.)) of product per acre. A maximum of 281.25 gallons of product or 375 lbs. of (a.i.) could be applied in 1995. Application would occur between April 1, 1995 and July 31, 1995.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24 (a)(6)]. Exemptions for the use of Cobra Herbicide on snap beans have been requested and granted for the past 3 years, and an application for registration of this use has not been submitted to the Agency.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Oregon Department of Agriculture.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 17, 1995.

**Lois Rossi,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-7582 Filed 3-28-95; 8:45 am]

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[OPP-180965; FRL 4942-6]

#### Oxytetracycline; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received specific exemption requests from the Michigan, Oregon and Washington Departments of Agriculture (hereafter referred to as the "Applicant") for use of the pesticide,

oxytetracycline, to control fire blight on apples for 5,000 acres in Michigan, 4,340 acres in Oregon, and 3,000 acres in Washington State. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before April 13, 1995.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-180965," should be submitted by mail to: Public Response and Human Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8347; e-mail: collantes.margarita@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemptions for use of the bactericide, oxytetracycline, available as Terramycin (EPA Reg. No. 618-104) from Merck and Company, to control fireblight on up to 5,000 acres of apples in Michigan, 4,340

in Oregon and 3,000 in Washington State. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicants, the bactericide commonly used to control fire blight has been streptomycin, however, apples have developed a resistance to streptomycin and have become susceptible to blight. None of the registered pesticides are effective against this disease and, without an effective control growers will incur significant economic losses during the 1995 growing season.

Under the proposed exemptions, a maximum of five ground applications of Terramycin for Michigan, and a maximum of up to eight application for Oregon and Washington, would be made at 0.8 ounces to 1.0 pound of product (50 to 100 gallons of a 200 ppm solution per acre). A 60-day preharvest interval will be observed.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24 (a)(6)]. Exemptions for the use of oxytetracycline on apples have been requested and granted for the past 4 years, and an application for registration of this use has not been submitted to the Agency.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemptions requested by the Michigan, Oregon and Washington Departments of Agriculture.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 22, 1995.

**Stephen L. Johnson,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-7717 Filed 3-28-95; 8:45 am]

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[OPP-180967; FRL 4944-3]

#### **Pyrithiobac-Sodium; Receipt of Application for Emergency Exemption, Solicitation of Public Comment**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Arkansas State Plant Board (hereafter referred to as the "Applicant") for use of the pesticide pyriithiobac-sodium, to control morningglory and cocklebur on up to 500,000 acres of cotton in Arkansas. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before April 13, 1995.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-180967," should be submitted by mail to: Public Response and Human Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8347; e-mail: collantes.margarita@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 18 of the Federal Insecticide,